

1 HEATHER E. WILLIAMS, Bar #122664
Federal Defender
2 GRIFFIN ESTES, CA Bar # 322095
Assistant Federal Defender
3 Designated Counsel for Service
2300 Tulare Street, Suite 330
4 Fresno, CA 93721-2226
Telephone: (559) 487-5561
5 Fax: (559) 487-5950

6 Attorneys for Defendant
FRANCISCO JAVIER TORRES
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 FRANCISCO JAVIER TORRES

15 Defendant.
16

Case No. 1:23-cr-142-JLT-SKO-001

**STIPULATION TO MODIFY
PRETRIAL RELEASE CONDITIONS;
ORDER**

Judge: Hon. Barbara A. McAuliffe

17 On July 10, 2023, a complaint was filed charging Mr. Torres with a violation of 21 U.S.C
18 § 841(a)(1). ECF Dckt. # 1. An initial appearance on the indictment was held the same day. Id. At
19 Mr. Torres's July 12, 2023 detention hearing, the Court ordered Mr. Torres released on several
20 conditions. ECF Dckt. # 9, 10, 11. On July 27, 2023, the parties filed a stipulation to modify the
21 terms of Mr. Torres' curfew. ECF Dckt. # 17. The court accepted the stipulation and modified the
22 terms of his pre-trial release. ECF Dckt. # 18.

23 Mr. Torres is a local truck driver who operates in the Los Angeles area. Mr. Torres works
24 through a dispatcher who assigns work to drivers who are able to respond to requests to pick up
25 and deliver materials. Mr. Torres does not have a fixed schedule and has work opportunities at
26 inconsistent times. For instance, Mr. Torres has an offer of employment that begins at 7 p.m. and
27 lasts approximately 6 hours. This job is temporary, however. Mr. Torres expects that his schedule
28 will shift depending on the work that is offered to him. The curfew requirement will prevent him

1 from working on some occasions. The Government has received documentation that proves Mr.
2 Torres's work conditions and schedule. The parties agree that location monitoring and a curfew are
3 not necessary to reasonably assure Mr. Torres' appearance and to mitigate any dangerousness.

4 Mr. Torres, through counsel, Griffin Estes Assistant Federal Defender, and the United
5 States Attorney Justin Gilio hereby stipulate to modify the conditions of pretrial release, to remove
6 the location monitoring and curfew set forth at paragraph 7(n). ECF Dckt. # 11, *as modified by*
7 ECF Dckt. # 18. Pretrial Services has no objection to the modification.

8
9 Respectfully submitted,

10 PHILLIP A. TALBERT
United States Attorney

11
12 Dated: August 10, 2023

/s/ Justin Gilio
JUSTIN GILIO
Assistant United States Attorney
Attorney for Plaintiff

13
14
15 Dated: August 10, 2023

HEATHER E. WILLIAMS
Federal Defender

16
17 /s/ Griffin Estes
GRIFFIN ESTES
Assistant Federal Defender
Attorney for Defendant
FRANCISCO JAVIER TORRES

18
19
20
21 **ORDER**

22 **GOOD CAUSE APPEARING**, the above stipulation to modify Mr. Torres's conditions
23 of release is hereby accepted and adopted as the order of this Court. Condition #7(n) is hereby
24 removed from Mr. Torres's conditions of release. All other orders remain in full force and
25 effect.

26 IT IS SO ORDERED.

27 Dated: August 10, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE